IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

PIL WRIT PETITION NO. 124 OF 2005

Dr.Shailendra Deendayal Sharma .. Petitioner
v/s.
State of Maharashtra and others .. Respondents

Mr.V.P.Patil for the petitioner.

Mr.R.M.Sawant, Government Pleader for the respondent No.2.

Mr.K.K.Singhvi, senior counsel for the respondent No.3..

Mr.R.S.Apte with Mr.A.A.Garge for the respondent No.4.

Mr.Devidas Keluskar for the respondent No.5.

Ms.P.S.Cardozo, Assistant Government Pleader for the respondent No.1.

CORAM : R.M. LODHA &
A.S.BAGGA, JJ.

DATED : 29TH JUNE, 2006.

P.C.

Heard the counsel for the parties.

2. The petitioner has raised principally two issues in this writ petition. One concerning the bad condition of roads in Mumbai and the other with regard to toll collection for the use of roads. As regards the condition of roads, orders have been passed by this court in suo motu writ petition No.8 of 2005, suo motu writ

petition No.3 of 2005 and writ petition No.259 of 2005 and in view thereof, no further order needs to be passed in this writ petition.

3. As regards the toll collection for the use of roads, in our considered view, the grievance raised in the writ petition stands squarely concluded by the Division Bench judgment of this court in the case of Vinayak V. More v. Maharashtra State Road Development Corporation Ltd., AIR 2000 Bombay 309. In view thereof, we are satisfied that this writ petition does not deserve to be entertained. Disposed of accordingly.

4. However, we permit the petitioner to make representation to the Thane Municipal Corporation if any specific road is in bad shape and we expect the Thane Municipal Corporation to attend to the grievance expeditiously.

(R.M.LODHA, J.)

(A.S.BAGGA, J.)